

The Gazette of India



EXTRAORDINARY PART II—Section 3—Sub-section (i) PUBLISHED BY AUTHORITY

No. 39] NEW DELHI, TUESDAY, MARCH 10, 1959/PHALGUNA 19, 1880

MINISTRY OF FOOD AND AGRICULTURE

(Department of Food)

ORDER

New Delhi, the 10th March 1959

G.S.R. 292.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order, namely:—

1. **Short Title, Extent and Commencement.**—(1) This Order may be called the Uttar Pradesh Foodgrains (Restrictions on Border Movement) Order, 1959.

(2) It extends to the whole of the State of Uttar Pradesh.

(3) It shall come into force at once.

2. **Definitions.**—In this Order, unless the context otherwise requires.—

(a) "border area" means the area within the five mile belt all along the border of the State of Uttar Pradesh adjoining the Union territories of Himachal Pradesh and Delhi and the States of Punjab, Rajasthan Madhya Pradesh and Bihar;

(b) "foodgrains" means any of the foodgrains specified in the Schedule to this Order;

(c) "State Government" means the Government of the State of Uttar Pradesh.

3. **Restrictions on the movement of foodgrains to, from or within the border area.**—No person shall transport, attempt to transport or abet the transport of foodgrains—

(a) to any place in the border area from any place outside that area, or

(b) from any place in the border area to any place outside that area, or

(c) from any place in the border area to any other place in that area,

except under and in accordance with a permit issued by the State Government or any officer authorized by that Government in this behalf:

Provided that nothing contained herein shall apply to the transport of foodgrains—

(i) on Government account; or

(ii) under and in accordance with Military Credit Notes; or

(iii) within the same town or village in the border area; or

- (iv) from a village in the border area to the nearest grain market (mandi) in the State of Uttar Pradesh whether such market (mandi) is within or outside the border area; or
- (v) not exceeding 20 seers in weight in the aggregate at one time by a *bona fide* resident of the border area for domestic consumption; or
- (vi) not exceeding 5 seers in weight in the aggregate by a *bona fide* traveller as part of his luggage.

4. Powers of entry, search, seizure, etc.—(1) Any Police Officer not below the rank of Assistant Sub-Inspector and any other person authorized in this behalf by the State Government may, with a view to securing compliance with this Order or to satisfying himself that this Order has been complied with,—

- (i) stop and search or authorize any person to stop and search any person, boat, motor or any vehicle or receptacle used or intended to be used for the export of any foodgrains;
- (ii) enter and search and authorize any person to enter and search any place;
- (iii) seize or authorize the seizure of any foodgrains in respect of which he suspects that any provision of this Order has been, is being or is about to be contravened, along with the packages, coverings or receptacles in which such foodgrains are found or the animals, vehicles, vessels, boats or conveyances used in carrying such foodgrains and thereafter take or authorize the taking of all measures necessary for securing the production of the packages, coverings, receptacles, animals, vehicles, vessels, boats or conveyances so seized, in a court and for their safe custody pending such production.

(2) The provisions of sections 102 and 103 of the Code of Criminal Procedure, 1898, relating to search and seizure shall, so far as may be, apply to searches and seizures under this clause.

5. Effect of the Order.—The provisions of this Order are in addition to and not in derogation of (i) the Inter-Zonal Wheat Movement Control Order, 1957, (ii) the Uttar Pradesh Foodgrains (Export Control) Order, 1958, and (iii) the Uttar Pradesh Paddy and Rice (Restriction on Movement) Order, 1958.

THE SCHEDULE

- 1. Wheat including its products other than wheat bran, bread, biscuits, cakes and pastries.
- 2. Rice and Paddy and their products excluding rice bran and husk.
- 3. Maize and its products.
- 4. Jowar and its products.
- 5. Bajra and its products.

[No. 204(UP)(3)/279/59-PY.II.]

B. P. BAGCHI, Jt. Secy.